

Senate No. 2164

Message from His Excellency the Governor returning pursuant to Section 5 of Article LXIII of the Amendments to the Constitution with his disapproval of certain language in certain items contained in the engrossed Bill relative to sheriffs .

The Commonwealth of Massachusetts



DEVAL L. PATRICK
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To the Honorable Senate and House of Representatives:

Pursuant to Section 5 of Article 63 of the Amendments to the Constitution, I am today signing Senate Bill 2121, "An Act Relative to Sheriffs", while disapproving language in certain items.

I am pleased to sign this important legislation, which provides funding for the seven Sheriffs who are being transferred from their counties to the Commonwealth under Chapter 61 of the Acts of 2009. This supplemental funding is necessary to provide for the correct appropriation structure in the budget based on the actual effective date of Chapter 61, January 1, 2010. This bill will provide one-half a year of funding through the current state/county hybrid model and one-half a year of funding through individual state appropriations for each Sheriff's Department.

However, as I recently did in the fiscal year 2010 general appropriation bill, I am disapproving certain line-item language that imposes unnecessary restrictions on the operation of these Sheriffs' offices. Based on the experience of the Sheriffs themselves, most of whom have strenuously objected to this requirement, the mandated use of the State Office of Pharmacy Services (SOPS) may increase rather than reduce costs at a time when they can least afford it within their appropriations. Although SOPS should be considered an option, the Sheriffs, in their judgment, should be free to select the most efficient and cost effective pharmacy service to meet their individual department's needs.

Therefore, I disapprove in the following items in Section 2 the wording as indicated:

8910- "; provided further, that all pharmacy services shall be paid through the state office of
8200 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the acts of
2009, not later than June 30, 2010; and provided further, that upon transitioning to the
state office of pharmacy services, no charge or contract shall be made with an alternate

vendor to provide pharmacy services other than the state office of pharmacy services"

8910- "; provided further, that all pharmacy services shall be paid through the state office of
8300 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the acts of
2009"

8910- "; provided further, that all pharmacy services shall be paid through the state office of
8400 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the acts of
2009, not later than June 30, 2010; and provided further, that upon transitioning to the
state office of pharmacy services, no charge or contract shall be made with an alternate
vendor to provide pharmacy services other than the state office of pharmacy services"

8910- "; provided further, that all pharmacy services shall be paid through the state office of
8500 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the acts of
2009 "

8910- "; provided further, that all pharmacy services shall be paid through the state office of
8600 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the acts of
2009, not later than June 30, 2010; and provided further, that upon transitioning to the
state office of pharmacy services, no charge or contract shall be made with an alternate
vendor to provide pharmacy services other than the state office of pharmacy services"

8910- "; provided further, that all pharmacy services shall be paid through the state office of
8700 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the acts of
2009 "

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I approve the remainder of this Act.

Respectfully submitted,
DEVAL L. PATRICK,
Governor.